

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

MILO H. SEGNER, JR.,	§	
Plaintiff,	§	Civil Action No. 3:10-cv-1884
	§	
	§	
v.	§	
	§	
	§	
SECURITIES AMERICA, INC.,	§	
et al.,	§	
Defendants.	§	

**TRUSTEE'S AGREED MOTION TO DISMISS DEFENDANT
CAPITAL FINANCIAL SERVICES, INC.**

Milo H. Segner, Jr., Liquidating Trustee of the PR Liquidating Trust (the "Trustee") files this Agreed Motion to Dismiss Defendant Capital Financial Services, Inc. and would show the Court as follows:

1. The Trustee has reached a compromise and settlement with Defendant Capital Financial Services, Inc. of all claims, causes of action, and damages in this case and requests the Court to dismiss with prejudice this action against Capital Financial Services, Inc.

2. The Trustee does not request a dismissal for any other Defendants at this time.

WHEREFORE, PREMISES CONSIDERED, the Trustee requests the Court to dismiss this action with prejudice as to Defendant Capital Financial Services, Inc.

Respectfully submitted,

/s/ Andrew B. Sommerman

Andrew B. Sommerman
Texas Bar No. 18842150
George (Tex) Quesada
Texas Bar No. 16427750
SOMMERMAN & QUESADA, L.L.P.
3811 Turtle Creek Blvd., Suite 1400
Dallas, Texas 75219
P: (214) 720-0720
F: (214) 720-0184

FLEMING | NOLEN | JEZ, LLP

Jerry Kenneth (J. Ken) Johnson, II
Texas Bar No. 10746300
2800 Post Oak Blvd., Suite 4000
Houston, Texas 77056
P: (713) 621-7944
F: (713) 621-9638

PASSMAN & JONES, P.C.

Jerry C. Alexander
Texas Bar No. 00993500
Christopher A. Robison
Texas Bar No. 24035720
1201 Elm Street, Suite 2500
Dallas, Texas 75270-2599
P: (214) 742-2121
F: (214) 748-7949

Michael R. Rochelle
Texas Bar No. 17126700

Sean J. McCaffity

Texas Bar No. 24013122

ROCHELLE MCCULLOUGH LLP

325 N. St. Paul, Suite 4500
Dallas, Texas 75201
P: (214) 953-0182
F: (214) 953-0185

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a true and correct copy of the foregoing was served via ECF notification to all those parties receiving electronic notice in this case on this 1st day of March, 2013.

/s/ Andrew B. Sommerman

Andrew B. Sommerman